



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE)

TRANSMITTAL FORM (37 C.F.R. § 1.114)

DOCKET NO. 10191/3616	APPLICATION SERIAL NO. 10/528,181	EXAMINER Marcus H. TANDINGCO	ART UNIT 2884
INVENTOR(S): Christian KRUMMEL et al.		CONFIRMATION NO. 6744	

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: June 17, 2009

Signature: _____

Jong H. Lee (Reg. No. 36,197)

This is a **request for continued examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. **10/528,181** filed on **October 30, 2006** entitled **DEVICE FOR DETECTING AND DEVICE FOR MEASURING THE CONCENTRATION OF A SUBSTANCE.** The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and are attached:

- ☒ Please enter the enclosed "Supplemental Response in Lieu of Appeal Brief," as well as the certified English translation of the German priority application DE 102 43 014.4 previously mailed on May 6, 2009. 06/23/2009 SDEHB083 00000017 110600 10528181
- ☐ Information Disclosure Statement 01 FC:2254 1730.00 DA
- ☐ Drawing Changes 02 FC:1001 810.00 DA
- ☐ Other Submission:

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached. Amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						810.00
TOTAL CLAIMS	9	MINUS	20	0	52.00	0.00
INDEPENDENT CLAIMS	4	MINUS	4	0	220.00	0.00
MULTIPLE DEPENDENT CLAIM					390.00	0.00
				Number extra must be zero or larger	TOTAL	810.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.					SMALL ENTITY TOTAL 00

2. Please charge the required RCE and submission filing fee of **\$810.00** to the deposit account of **Kenyon & Kenyon LLP's**, Deposit Account Number **11-0600**.
3. Applicants respectfully request a **four-month extension of time** in which to respond to the Notice of Appeal which was filed on December 18, 2008, for which a response period expiring on February 28, 2009 was set. The extended period expires on **June 18, 2009**. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **\$1,730** to the deposit account of **Kenyon & Kenyon LLP's** Deposit Account No. **11-0600**.
4. The Commissioner is hereby authorized to charge payment of the fees, including any additional and/or extension fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP's**, deposit account number **11-0600**.

Respectfully submitted,

 (A. No. 36,197)

Dated: June 17, 2009

By: JONG LEE for Gerard Messina
Gerard A. Messina, Reg. No. 35,952
KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)
CUSTOMER NO. 26646